

#5

PTO/SB/61 (10-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

TS00-166

First named inventor: H.J. Hsu et al

Group Art Unit: 2823

Application Number: 09/679,514

Examiner: B. Kebede

Filed: 10/6/00

Title: A Method To Improve Passivation Openings By Reflow
Of Photoresist To Eliminate Tape Residue

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay

1. Petition fee

☐ small entity - fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ other than small entity - fee \$ 130. (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in

the form of Amendment (identify the type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

10/22/2002 SSESHE1 00000061 190033 09679514

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OCT 23 2002

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity of \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

10/16/02
Date

Telephone
Number: (845) 452-5803

Stephen B. Ackerman
Signature

Stephen B. Ackerman
Typed or printed name

28 Davis Avenue
Address

Poughkeepsie NY 12603

- Enclosures: ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unavoidable delay
- ☐ _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-5916.

10/16/02
Date

Stephen B. Ackerman
Signature

Stephen B. Ackerman
Typed or printed name of person signing certificate



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NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

10/16/02
Date

Stephen B. Ackerman
Signature

Stephen B. Ackerman, Reg #37,761
Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply)

PLEASE SEE THE ATTACHED LETTER.

(Please attach additional sheets if additional space is necessary)



DAC \$
#5

October 15, 2002

TO: Commissioner of Patents and Trademarks
Washington, D.C. 20231

ATTN: **Office of Petitions**
Box DAC

FROM: George O. Saile, Reg. No. 19,572
Stephen B. Ackerman, Reg. No. 37,761
20 McIntosh Drive
Poughkeepsie, New York 12603
Attorney Docket #: TS00-166


SUBJECT: Serial #: 09/679,514
File date: 10/6/00
Inventors: H.J. Hsu, et al
Title: A Method To Improve Passivation Openings By Reflow Of
Photoresist To Eliminate Tape Residue

Petition To Revive Unavoidably Under 37 CFR 1.181

This is a Petition, filed under 37 CFR S 1.137(a), to revive the above referenced application, which was abandoned for failure to timely file a proper response to the Office Letter mailed on December 20, 2001. The Petition is in response to the Notice of Abandonment dated 7/15/02.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patent and Trademarks, Washington, D.C. 20231 on October 15, 2002.


Stephen B. Ackerman,
Reg. No. 37,761

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TS00-166

A response to the Office letter of December 20, 2001 was sent to the USPTO in a timely manner on March 20, 2002. The attached Exhibit A is a copy from a complete Mail Log of all correspondence our office mails to the USPTO. As can be seen in Exhibit A, for each piece of correspondence an entry is made in the Mail Log for that date (the date mailed to the Patent Office), Subject (the type of correspondence), and Docket (our Docket Number). Exhibit A shows that we submitted the required response on March 20, 2002. Exhibit B is a copy from a complete Mail Log of all correspondence from the U.S. Patent Office which is kept in our office. As can be seen in Exhibit B, for each piece of correspondence an entry is made in the Mail Log for that Date (the date mailed by the Patent Office), Subject (the type of correspondence), Docket (our Docket Number), Due (the date a response is due to the Patent Office), and Sent (the date the required response was actually sent to the Patent Office). Please take note that the "Sent" category of this page is documented with the date (March 20, 2002) the response to the Office Action was mailed. The postcard our office sent in with the reply has not yet been received by our office.


An explanation for the failure of the Patent Office not receiving our response to the Office Action is that it may have been lost in the mail en route to the USPTO or was lost within the PTO during initial processing.

The delay from the due date for the response until the date of filing this petition was unavoidable because we were unaware of the abandonment of the application until receipt of the Notice of Abandonment on July 19, 2002. Furthermore, the delay from

such receipt to the time of filing this Petition was unavoidable due to the press of other business.

The Commissioner of Patents is hereby authorized to charge payment of the petition fee of \$130. associated with this communication to our Deposit Account 19-0033

Please contact our office at (845) 452-5863 if further information is requested regarding this matter. A timely response regarding this matter would be appreciated.



Stephen B. Ackerman,
Reg. No. 37, 761

Enclosed: Exhibit A
Exhibit B
Amendment

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EXHIBIT A

<u>Date</u>	<u>Subject</u>	<u>Docket</u>	<u>Invoice</u>	<u>Canc</u>
4/10/02	Info. Disc Stmt	TS01-1380 TS00-903 TS01-415		✓ ✓ ✓
4/10/02	Response to Restriction	ST99-004 ✓ meg-01-003 ✓ Ime-00-012 ✓ CS00-105 ✓ TS00-214 ✓		✓ ✓ ✓ ✓ ✓
4/10/02	Pd Issu Fee u/Drawings New Patent Appl.	TS99-023 ✓ TS01-718/74/822 ✓ DS01-037 ✓ ST01-004 ✓ F18-800 ✓		✓ ✓ ✓ ✓ ✓
4/9/02	Amendment	CS99-007 ✓		✓
4/11/02	Amend A.F.	TS97-364B ✓		✓
4/11/02	Amend AF Amendment	ERS088-029B ✓ TS98-052B ✓ TS97-488 ✓		✓ ✓ ✓
4/11/02	New Patent Appl.	TS99-705 ✓ DS01-015 ✓ CS99-348 ✓ CS98-078C ✓		✓ ✓ ✓ ✓
4/11/02	Appeal Brief			
4/11/02	Response to Restriction	CS99-34/301 ✓		✓
4/22/02	Amendment	TS00-330 ✓		✓
3/20/02	Amendment	TS00-166 ✓		
4/1/02	Amend AF	CS99-007 ✓		
3/27/02	Amendment	CS99-290/291 ✓		
3/19/02		CS98-027B ✓		✓

EXHIBIT B

DATE	SUBJECT	DOCKET	DUE	STATUS
12/20/01	REJECTION	TS98-220B ✓	3/20/02	3/13/02
12/21/01	"	TS98-622 ✓	3/21/02	3/21/02
12/21/01	"	TS99-090B ✓	3/21/02	3/18/02
12/20/01	"	TS99-363 ✓	3/20/02	3/17/02
12/19/01	"	TS00-022 ✓	3/19/02	3/17/02
12/20/01	"	TS00-166 ✓	3/20/02	3/20/02
12/19/01	FINAL REJECTION	U1589-025 ✓	2/19/02	2/19/02
12/21/01	RESTRICTION	CS99-224 ✓	1/21/02	1/19/02
2/21/01	DECISION ON APPEAL	U1586-182 ✓	—	—
2/21/01	NOT OF ALLOWANCE	ST99-007 ✓	3/21/02	1/23/02
2/21/01	REJECTION	MEG01-001 ✓	3/21/02	3/19/02
2/28/01	NOT OF ALLOWANCE	HT98-024/025 ✓	3/28/02	2/5/02
2/26/01	"	PR89-070 ✓	3/26/02	2/8/02
2/21/01	REJECTION	ST99-010 ✓	3/21/02	3/19/02
12/26/01	NOT OF NON-RECORDATION	GUC00-002 ✓	1/26/02	1/22/02
2/21/01	RESTRICTION	ME00-017 ✓	1/31/02	1/22/02
2/21/01	NOT OF ALLOWANCE	CS99-345 ✓	4/01/02	3/5/02
2/21/01	"	TS97-419C ✓	4/01/02	1/11/02
2/21/01	"	TS00-750 ✓	4/01/02	2/5/02
2/21/01	FINAL REJECTION	TS98-346B ✓	2/28/02	—
2/28/01	"	TS98-358 ✓	2/28/02	2/28/02
2/21/01	RESTRICTION	CS98-096B ✓	1/31/02	1/31/02
1/02/02	"	PR89-004 ✓	2/2/02	1/24/02
1/02/02	"	TS00-105 ✓	2/2/02	1/22/02
1/02/02	"	TS00-201 ✓	2/02/02	1/22/02
2/21/01	"	TS00-230 ✓	1/31/02	1/22/02
2/21/01	NOT OF ALLOWANCE	CS99-366 ✓	4/1/02	2/5/02
2/21/01	"	CS00-036 ✓	4/1/02	2/5/02
1/02/02	"	TS98-241B ✓	4/2/02	2/5/02
2/21/01	"	TS98-533B ✓	4/1/02	2/5/02
1/31/01	"	U1589-037 ✓	4/1/02	2/5/02